

LAW OFFICES OF
JOSHUA L. DRATEL, P.C.
A PROFESSIONAL CORPORATION

29 BROADWAY
Suite 1412
NEW YORK, NEW YORK 10006

TELEPHONE (212) 732-0707
FACSIMILE (212) 571-3792
E-MAIL: JDratel@JoshuaDratel.com

JOSHUA L. DRATEL

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LINDSAY A. LEWIS
WHITNEY G. SCHLIMBACH

STEVEN WRIGHT
Office Manager

September 2, 2015

BY ECF

The Honorable Loretta A. Preska
Chief United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Jose Cruz,*
14 Cr. 483 (LAP)

Dear Chief Judge Preska:

This letter is submitted on behalf of defendant Jose Cruz, whom I represent in the above-entitled case, and, for the reasons set forth below, seeks a two-week adjournment of his sentencing, currently set for next Thursday, September 10, 2015, at 3 p.m. I have been in contact with Assistant United States Attorney Brendan Quigley, who has informed me that the government does not object to this request.

The adjournment of the sentencing is requested because I have to prepare a Brief on Appeal in the United States Court of Appeals for the Ninth Circuit in *United States v. Moalim*, Docket No. 13-50572. I need to meet with appellate counsel for the three co-defendants-appellants for purposes of combining the several points on appeal into a single joint Brief. That meeting was supposed to occur this week, but had to be postponed due to preparation of another Brief on Appeal, in *People v. Jordan*, Ind. No. 621-10, in the Appellate Division, First Department ,which is due September 8, 2015 (in order for it to be calendared for the September Term).

Due to the Jewish Holidays the following week, it is imperative that the meeting regarding the Brief occur next week in order that the Brief can be assembled in time for the September 29, 2015, due date.

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Hon. Loretta A. Preska
Chief United States District Judge
Southern District of New York
September 2, 2015
Page 2 of 2

Accordingly, it is respectfully requested that Mr. Cruz's sentencing be adjourned for two weeks. As noted above, the government does not object to this request.

Respectfully submitted,



Joshua L. Dratel

JLD/

cc: Brendan Quigley
Assistant United States Attorney